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10
     CITY OF FREMONT POLICE DEPARTMENT, DOUG LYERLA
     and JEFF SWADENER (erroneously sued herein as "Sargent Swander")
11
12
                                UNITED STATES DISTRICT COURT
13
                              NORTHERN DISTRICT OF CALIFORNIA
14
15
     DANIEL LAVI.
                                                  Case No.: CV09-3327 PJH
16
                  Plaintiff,
                                                   STIPULATION AND ORDER FOR
           VS.
                                                   DISMISSAL OF DEFENDANTS WITH
17
                                                   PREJUDICE, EACH SIDE TO BEAR THEIR
     CITY OF FREMONT, FREMONT POLICE
                                                   OWN FEES AND COSTS
18
     DEPARTMENT, DOÚG LYERLA, SARGENT
     SWANDER, in his capacity as Police Officer for )
19
     the City of Fremont, and DOES 1-100, inclusive,
20
                  Defendants.
21
22
           IT IS HEREBY STIPULATED by and between Pro Se Plaintiff Daniel Lavi and Defendants
23
     City of Fremont, Fremont Police Department and each of the named individual defendant employees
24
     of the Fremont Police Department, including but not limited to Doug Lyerla and Jeff Swadener
25
     (erroneously sued herein as "Sargent Swander") (together "Defendants"), through counsel, that
26
     plaintiff's Complaint in the above-captioned action and all causes of action be and hereby are
27
     dismissed with prejudice pursuant to Federal Rules of Civil Procedure 41(a)(1). Pursuant to the
     settlement agreement between the parties each side to bear their own fees and costs.
28
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1	So stipulated and Agreed:		
2			
3			
4			
5	Dated: November 9, 2009 By	:/s/ DANIEL LAVI	
6		Pro Se Plaintiff	
7		BERTRAND, FOX & ELLIOT	
8		DERTRAND, FOX & ELLIOT	
9	Dated: November 9, 2009 By	:/s/	
10		GREGORY M. FOX, Esq. Attorneys for Defendants	
11		Attorneys for Defendants	
12	<u>ORDER</u>		
13	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
14			
15	The Entire Action is Dismissed with Prejudice, Each Side to Bear Their Own Fees and Costs.		
16	TES DISTRICT		
17	Dated: 11/18/09	HONORABLE PHAN IS SO ORDERED LYON	
18	HONORABLE PHATITIS SO ORDERED LYON United States District Judge Phyllis J. Hamilton		
19			
20	ATTORNEY ATTESTATION		
21	I hereby attest that I have on file all holograph signatures for any signatures indicated by a		
22 23	conformed signature ("/s/") within this E-filed document.		
	comormed signature (75/) within this L-med document.		
24	Dated: November 17, 2009	/s/	
25	Grego	ory M. Fox	
26 27			
$\begin{bmatrix} 27 \\ 28 \end{bmatrix}$			
20			